

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**

**WRIT PETITION NO.4906 of 2006**

Shri Sandip Subhash Dabhale ..Petitioner

Vs.

The State of Maharashtra & Ors...Respondents

Mr. N.V. Bandiwadekar, for the Petitioner.

Mrs. M.P. Thakur, AGP for Respondent Nos. 1 and 2.

Mr. K.V.Saste, for Respondent No.3 and 4.

**CORAM : F.I. REBELLO &**

**S.J.VAZIFDAR, JJ.**

**DATED : 13TH FEBRUARY 2007**

**P.C.**

. Rule. Heard forthwith.

2. Pursuant to the order dated 29th January, 2007

replies have been filed by Prakash Meghshyam Parab,  
Education Officer (Secondary) Zilla Parishad, Pune as also  
by B.D. Hulwan, Education Officer (Secondary), Zilla  
Parishad, Ratnagiri. They have tendered their unconditional  
apology and also explained the circumstances based on which  
approval had not been granted. Considering the apology  
tendered we do not propose to initiate any proceedings in  
contempt against the said Officers.

3. It must, however,, be made clear to all officers

concerned that they have to act in aid and assistance of  
this Court. Judgments of this Court must be given effect to  
irrespective of any Government Resolution. If the State is  
aggrieved by the order of this Court the proper forum is to  
prefer an Appeal. It is not open to any officer once the  
judgment is pronounced and declared by this Court not to

follow that judgment. As we have noted earlier considering the unconditional apology and explanation given on the facts of this case we do not propose to act against the affiants who have filed the affidavits.

4. In the affidavit it is also set out that the approval has been granted. Once the approval is granted the respondents on the management submitting the papers for salary grant, to release the grant at any rate not later than eight weeks from the necessary papers being submitted by the management. Rule made absolute accordingly. No order as to costs.

**(F.I. REBELLO, J)**

**(S.J.VAZIFDAR, J)**